



BOSTON REDEVELOPMENT AUTHORITY City Hall / Room 900, 1 City Hall Square / Boston, Massachusetts 02201 / Telephone (617) 722-4300

February 28, 1974

BOARD OF APPEAL REFERRALS

1. Z-2999, Maronite Catholic Exarchate of USA, 65 Rockwood Street, Jamaica Plain
2. Z-3017, Kasanof's Baking Co., Inc. 215-233 Blue Hill Avenue and 55 Edgewood Street, Roxbury
3. Z-3021-3022, C & C Building Association, Inc., 115 & 117 Dana Avenue, Hyde Park
4. Z-3023-3024, Ramp Trust, 539 & 551 Centre Street, Jamaica Plain
5. Z-3026, Sons of Divine Providence, Inc., 150 Orient Avenue, East Boston
6. Z-3029, Burger King Corporation, 202-218 Brighton Avenue and 8 Higgins Street, Allston
7. Z-3030, Evelyn Richmond, 645 Commonwealth Avenue, Boston
8. Z-3031, Anthony D'Agostino, 611 East Eighth Street, South Boston
9. Z-3032, Paul F. Hannon, 0 Dow Road, West Roxbury
10. Z-3043, Benjamin D'Agostino, 606 East Eighth Street, South Boston
11. Z-3046, Robert J. Hansen, 18-24 Harvard Avenue, Dorchester
12. Z-3047, Deane Monument Company, Inc., 105 Morton Street, Jamaica Plain
13. Z-3051, Slak Shak Associates, 470 Commonwealth Avenue, Boston
14. Z-3058, Paul F & Judith B. McDonough, 28 Mt. Vernon Street, Charlestown

MEMORANDUM

February 28, 1974

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 3/12/74

Petition No. Z-2999
Maronite Catholic Exarchate of USA
65 Rockwood Street
Jamaica Plain

Petitioner seeks a conditional use for a change of occupancy from a church to church, social center and day care center in a single family (S-.3) district. The proposal violates the code as follows:

Section 8-7. A day care center is conditional in an S-.3 district.

Section 8-7. A social center requires a Board of Appeal hearing.

The property, located on Rockwood Street near the intersection of Pond Street, contains two church structures. The day care facility would have provisions for 60 children. There would be ample open space and off-street parking. It is recommended that the social center activities be church related and terminate no later than midnight. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2999, brought by Maronite Catholic Exarchate of USA, 65 Rockwood Street, Jamaica Plain, for a conditional use for a change of occupancy from a church to church, social center and day care center in a single family (S-.3) district, the Boston Redevelopment Authority recommends approval with the provisos that the social center activities be church related and terminate no later than midnight. Ample open space and off-street parking would be provided.

Z-2999

65 ROCKWOOD ST.

(J.P.)



Board of Appeal Referrals 2/28/74

Hearing Date: 3/5/74

Petition No. Z-3017
Kasanof's Baking Co., Inc.
215-233 Blue Hill Avenue and
55 Edgewood Street, Roxbury

Petitioner seeks a forbidden use, an extension of a non-conforming use and a variance to erect a one-story addition to a bakery in a local business (L-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. Storage of flour is forbidden in an L-1 district.		
Section 9-1. Extension of a non-conforming use requires a Board of Appeal hearing.		
Section 15-1. Floor area ratio is excessive.	1.0	1.1

The property, located at the intersection of Blue Hill Avenue and Edgewood Street in the Model Cities area, contains a commercial bakery complex (bakery, office, garage). Proposed extension would accommodate silos for the storage of flour. Four years ago, in a similar appeal, the Authority recommended approval of silos and the Board of Appeal concurred. This decision was subsequently annulled by the Court. Staff recommends that the petitioner meet with community representatives, resolve problems and file application for Planned Development Area. Recommend denial as submitted.

VOTED: That in connection with Petition No. Z-3017, brought by Kasanof's Baking Co., Inc., 215-233 Blue Hill Avenue and 55 Edgewood Street, Roxbury, in the Model Cities area, for a forbidden use, an extension of a non-conforming use and a variance to erect a one-story addition to a bakery in a local business (L-1) district, the Boston Redevelopment Authority recommends denial as submitted. Petitioner should meet with community representatives, resolve problems and file application for Planned Development Area.



Z-3017
215-233 BLUE HILL AVE.
55 EDGEWOOD ST.
(ROX.)

Board of Appeal Referrals 2/28/73

Hearing Date: 3/12/74

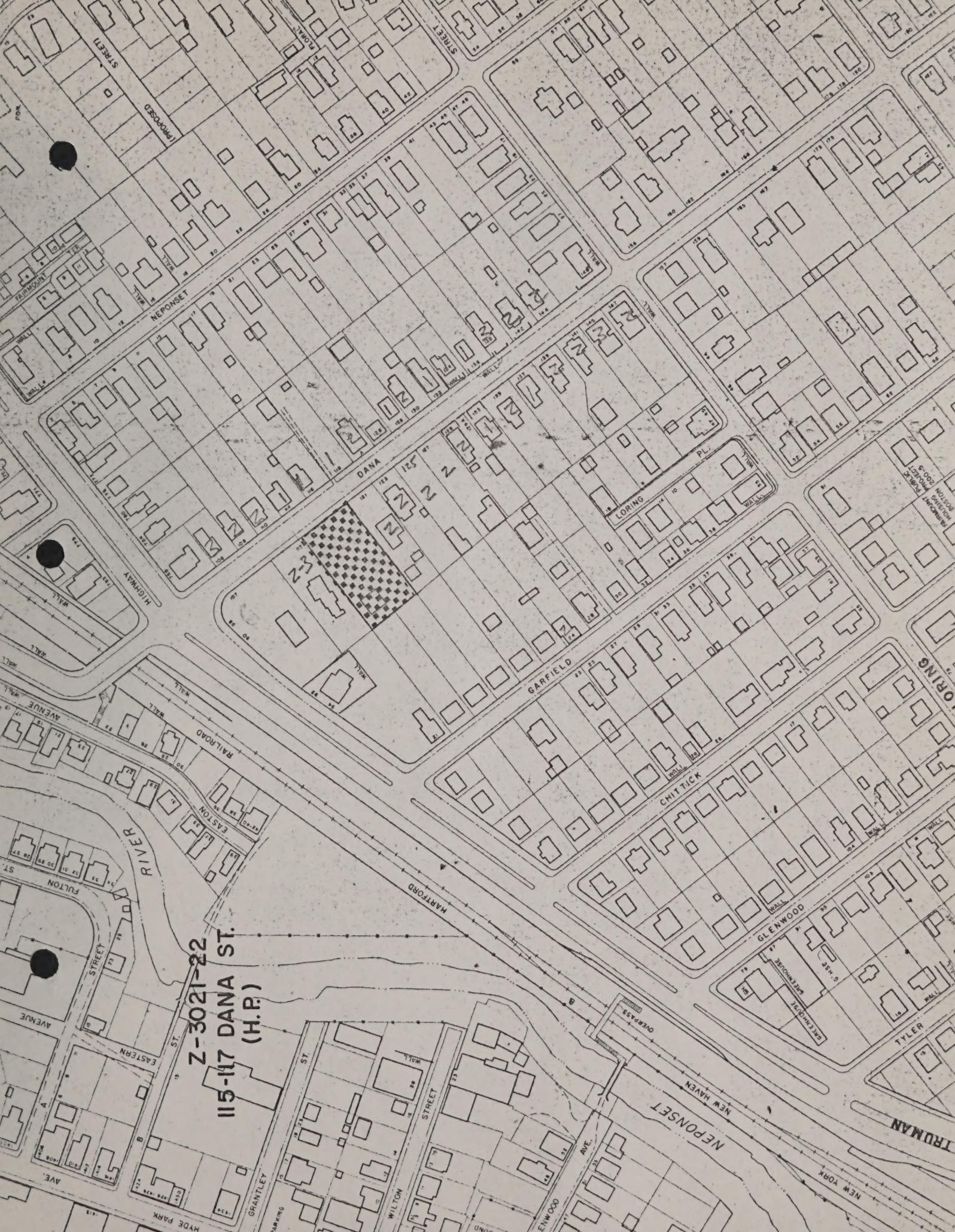
Petitions Nos. Z-3021-3022
C & C Building Association, Inc.
Carlo Calisi
115 & 117 Dana Avenue
Hyde Park

Petitioner seeks two forbidden uses and eight variances to erect two, two family dwellings in a single family (S-.5) district. The proposal violates the code as follows:

<u>115 & 117 Dana Avenue</u>	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A two family dwelling is forbidden in an S-.5 district.		
Section 14-3. Lot width is insufficient.	60 ft.	50 ft.
Section 14-4. Street frontage is insufficient.	60 ft.	50 ft.
Section 18-1. Front yard is insufficient.	30 ft.	25 ft.
Section 19-1. Side yard is insufficient.	12 ft.	10 ft.

The property, located on Dana Avenue near the intersection of Truman Highway, contains 20,500 square feet of vacant land. The dwellings would be consistent with adjacent properties. Violations are minimal and would have no adverse affect provided the required front yard of 30 feet is met. Recommend approval with proviso.

VOTED: That in connection with Petitions Nos. Z-3021-3022, brought by C & C Building Association, Inc., 115 & 117 Dana Avenue, Hyde Park, for two forbidden uses and eight variances to erect two, two family dwellings in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval provided the required front yard of 30 feet is met. The dwellings would be consistent with adjacent properties. Violations are minimal and would have no adverse affect.



Z-3021-22
115-117 DANA ST.
(H.R.)

Board of Appeal Referrals 2/28/74

Hearing Date: 3/12/74

Petitions Nos. Z-3023-3024
Ramp Trust
Frederic S. Clayton, Trustee
539 & 551 Centre Street
Jamaica Plain

Petitioner seeks two forbidden uses, a conditional use, a change in a non-conforming use and eleven variances for a change of occupancy from office, auto repair shop and auto battery wholesale to 52 apartments; to erect a one-story addition (a second story); to use premises for ancillary parking in residential (R-.5) and local business (L-.5) districts. Proposal violates the code as follows:

539 Centre Street

Req'd

Proposed

Section 8-7.	A multi-family dwelling is forbidden in an R-.5 district.		
Section 9-2.	A change in a non-conforming use requires a Board of Appeal hearing.		
Section 14-1.	Lot area is insufficient.	2 acres	17,945 sf
Section 14-3.	Lot width is insufficient.	200 ft.	131 ft.
Section 14-4.	Street frontage is insufficient.	200 ft.	131 ft.
Section 15-1.	Floor area ratio is excessive.	0.5	2.9
Section 17-1.	Open space is insufficient.	1000 sf/du	113 sf/du
Section 18-1.	Front yard is insufficient.	25 ft.	16 ft.
Section 19-1.	Side yard is insufficient.	10 ft.	5 ft.
Section 20-1.	Rear yard is insufficient.	40 ft.	10 ft.
Section 23-1.	Off street parking not provided on lot.		

551 Centre Street

Section 8-7.	A parking lot is forbidden in an R-.5 district and conditional in an L-.5 district.		
Section 19-1.	Side yard is insufficient.	10 ft.	0
Section 20-1.	Rear yard is insufficient.	10 ft.	0

The property, located on Centre Street near the intersection of Beaufort Road, contains a vacant and open one-story masonry structure. The use would be compatible with the mixed residential - local business character of the area and would remove the blighting influence of the abandoned buildings. Proposal is currently being reviewed by MHFA. Following conditions are recommended: that proposal comply with any conditions imposed by MHFA; that open space be provided at rear of parking lot along Beaufort Road; that suitable landscaping be provided; that no parking be allowed on Centre Street access driveway; that all plans be submitted for design review. Recommend approval with provisos.

VOTED: That in connection with Petitions Nos. Z-3023-3024, brought by Ramp Trust, 539 & 551 Centre Street, Jamaica Plain, for two forbidden uses, a conditional use, a change in a non-conforming use and eleven variances for a change of occupancy from office, auto repair shop and auto battery wholesale to 52 apartments; to erect a one-story addition; to use premises for ancillary parking in residential (R-.5) and local business (L-.5) districts, the Boston Redevelopment Authority recommends approval with the following conditions: that proposal comply with any conditions imposed by MHFA; that open space be provided at rear of parking lot along Beaufort Road; that suitable landscaping be provided; that no parking be allowed on Centre Street access driveway; that all plans be submitted to the Authority for design review. The use would be compatible with the mixed residential - local business character of the area and would remove the blighting influence of the abandoned building.



Z-3023-24

539-551 CENTRE ST.
(J.P.)

PARK

Board of Appeal Referrals 2/28/74

Hearing Date: 3/12/74

Petition No. Z-3026
Sons of Divine Providence, Inc.
150 Orient Avenue, East Boston

Petitioner seeks a conditional use and a forbidden use for a change of occupancy from a convent to rectory, day care center and school for retarded children in a single family (S-.5) district. The proposal violates the code as follows:

Section 8-7. A day care center is conditional in an S-.5 district.

Section 8-7. A school for retarded children is forbidden in an S-.5 district.

The property, located on Orient Avenue at the intersection of Tower Street, contains a 2½ story frame structure. Proposed day care facility would accommodate 26 children and the school for 12 retarded children. There is no objection to these facilities but staff recommends by proviso that the petitioner submit a comprehensive site plan of the entire complex including traffic generation, parking need and existing parking supply data. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-3026, brought by Sons of Divine Providence, Inc., 150 Orient Avenue, East Boston, for a conditional use and a forbidden use for a change of occupancy from a convent to rectory, day care center and school for retarded children in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval with proviso that the petitioner submit to the Authority a comprehensive site plan of the entire Don Orione complex including traffic generation, parking need and existing parking supply data.

Z-3026
150 CENT AVE.
(E.B.)



Board of Appeal Referrals 2/28/74

Hearing Date: 3/19/74

Petition No. Z-3029
Burger King Corporation
202-218 Brighton Avenue and
8 Higgins Street, Allston

Petitioner seeks a conditional use to erect a one-story addition to an existing restaurant (Burger King) in a local business (L-1) district. The proposal violates the code as follows:

Section 8-6. A change in a pre-existing conditional use requires Board of Appeal approval.

The property, bounded by Brighton Avenue, Higgins Street and Allston Street, contains a one-story masonry structure. The minimal expansion (18 ft. x 4 ft.), which would accommodate new kitchen equipment, has been reviewed by the community with apparent approval. There would be no increase in seating capacity. Proposal would not have a significant affect on this commercial area. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3029, brought by Burger King Corporation, 202-218 Brighton Avenue and 8 Higgins Street, Allston, for a conditional use to erect a one-story addition to a restaurant in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Minimal expansion would not have a significant affect on this commercial area. Proposal has been reviewed with community.



Z-3029

202-218 BRIGHTON AVE
8 HIGGINS ST.
(BRL)

HARVARD

MBTA

AVENUE

STREET

REEDSDALE

AVENUE

GLENVILLE TERRACE

AVENUE

BOSTON PUBLIC LIBRARY

PARKING

AVENUE

AVENUE

AVENUE

AVENUE

AVENUE

AVENUE

AVENUE

AVENUE

AVENUE

AVENUE

AVENUE

AVENUE

PARK VALE

QUINT

STREET

STREET

STREET

STREET

STREET

STREET

MOLLIS PLACE

GRIGGS PLACE

WHEBLEY STREET

STREET

RADCLIFFE ROAD

GREYLOCK ROAD

ALLSTON SQUARE

STREET

Board of Appeal Referrals 2/28/74

Hearing Date: 3/19/74

Petition No. Z-3030
Evelyn Richmond
645 Commonwealth Avenue
Boston

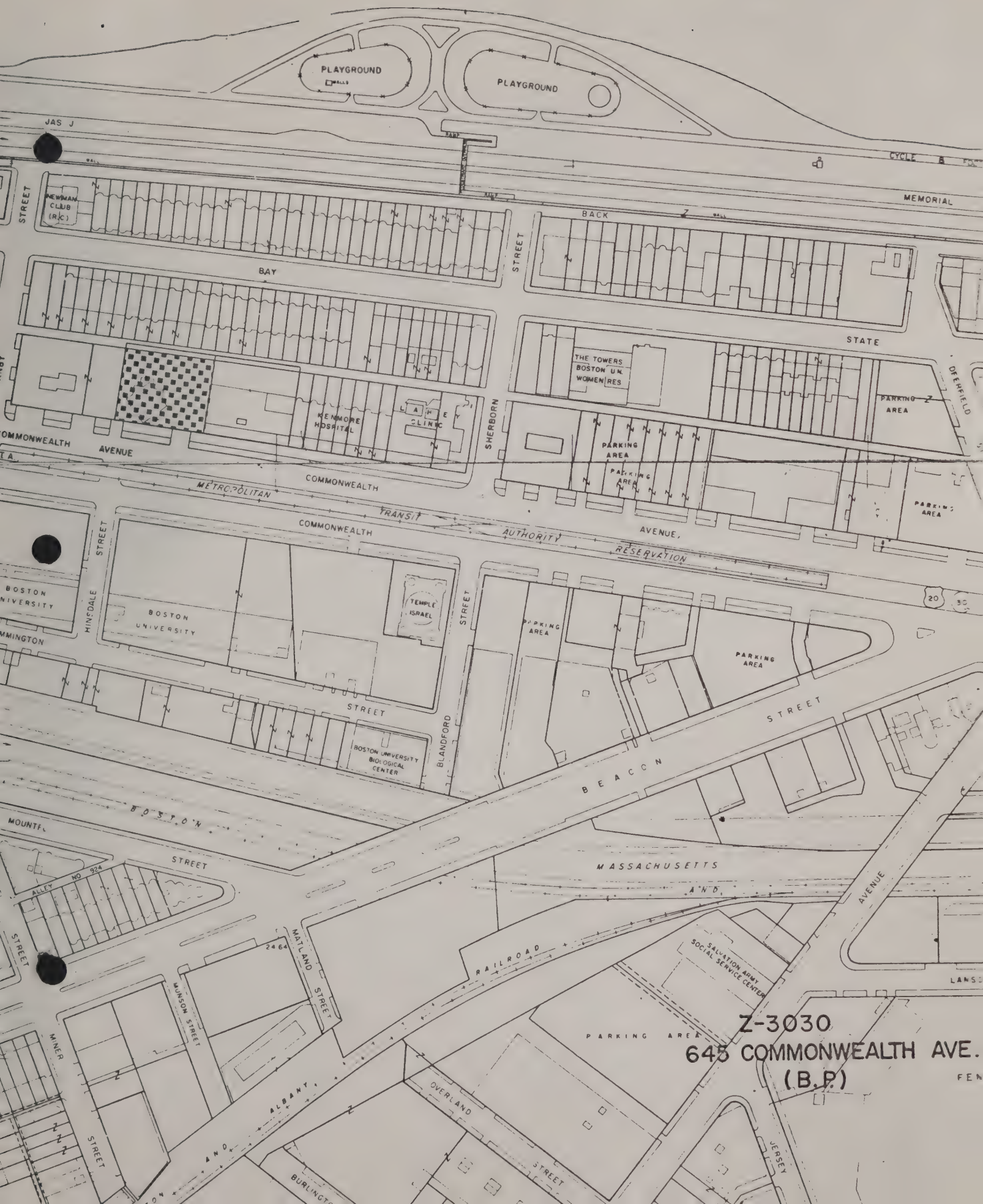
Petitioner seeks two forbidden uses to erect a one-story restaurant (Burger King) in an apartment (H-4) district. The proposal violates the code as follows:

Section 8-7. Sale over the counter of on-premises prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take-out is forbidden in an H-4 district.

Section 8-7. Outdoor storage of waste containers is forbidden in an H-4 district.

The property, located on Commonwealth Avenue near the intersection of Granby Street, contains a one-story former restaurant structure which would be demolished. The site has been occupied by the use for many years. Community has no opposition.
Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3030, brought by Evelyn Richmond, 645 Commonwealth Avenue, Boston, for two forbidden uses to erect a one-story restaurant in an apartment (H-4) district, the Boston Redevelopment Authority recommends approval provided plans, including landscaping, are submitted to the Authority for design review. The community has no opposition.



Z-3030
645 COMMONWEALTH AVE.
(B.P.)

Board of Appeal Referrals 2/28/74

Hearing Date: 3/19/74

Petition No. Z-3031
Anthony D'Agostino
611 East Eighth Street
South Boston

Petitioner seeks two forbidden uses and a change in a non-conforming use to legalize existing occupancy for auto and truck garage, private parking and minor repair in a residential (R-.8) district. The proposal violates the code as follows:

- Section 8-7. A parking garage is forbidden in an R-.8 district.
- Section 8-7. A repair garage is forbidden in an R-.8 district.
- Section 9-2. A change in a non-conforming use requires a Board of Appeal hearing.

The property, located on East Eighth Street near the intersection of K Street, contains a two-story masonry structure. Essentially the petition would legalize an existing condition. The neighborhood is densely populated, predominantly two and three family residential. Site is inappropriate; truck garage generates undesirable commercial traffic and intensifies congestion. Recommend denial.

VOTED: That in connection with Petition No. Z-3031, brought by Anthony D'Agostino, 611 East Eighth Street, South Boston, for two forbidden uses and a change in a non-conforming use to legalize existing occupancy for auto and truck garage, private parking and minor repair in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The neighborhood is densely populated, predominantly two and three family residential. Site is inappropriate; truck garage generates undesirable commercial traffic and intensifies congestion.



Z-3031

611 EAST EIGHTH ST.

(S.B.)

Board of Appeal Referrals 2/28/74

Hearing Date: 3/19/74

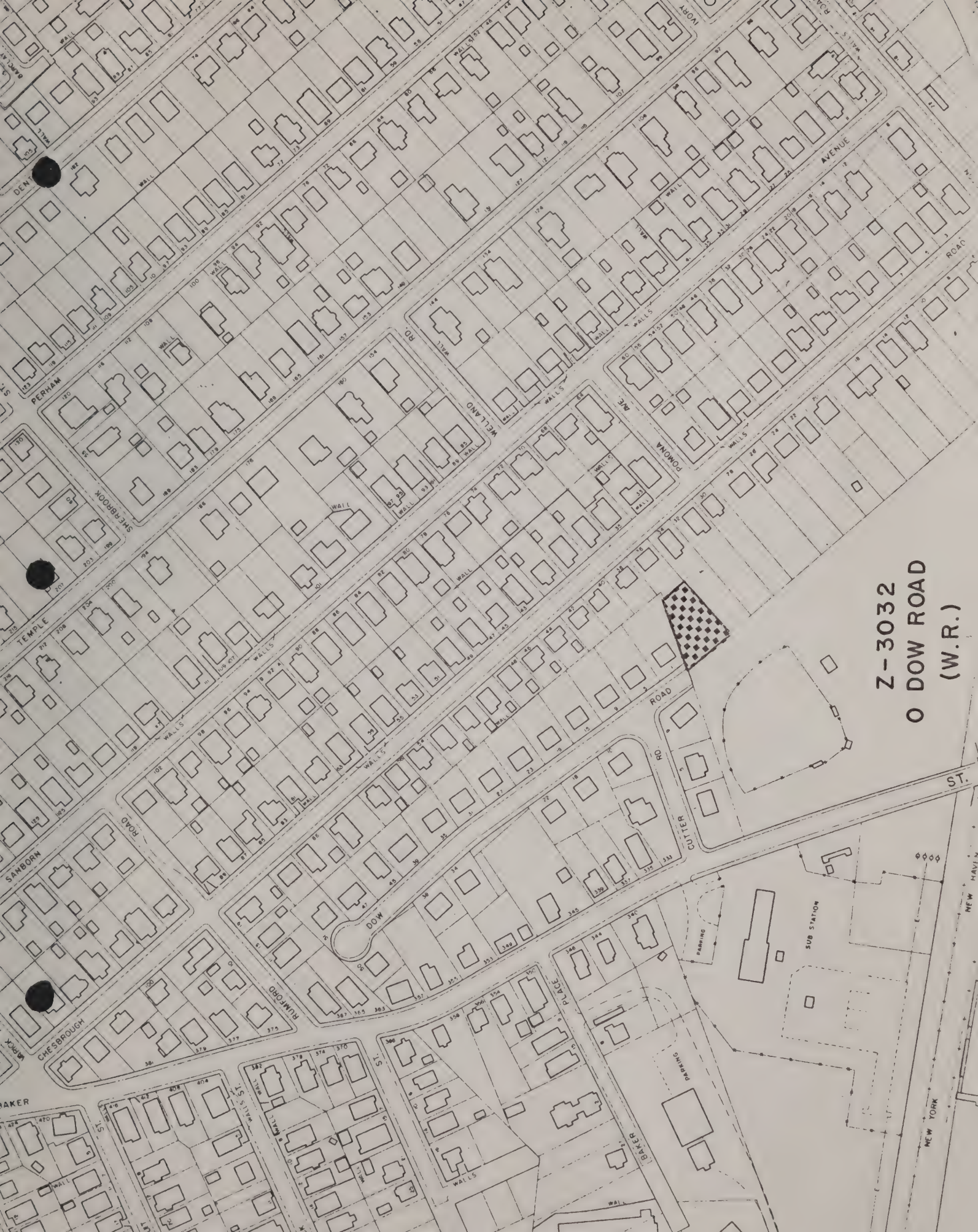
Petition No. Z-3032
Paul F. Hannon
0 Dow Road, West Roxbury

Petitioner seeks two variances to erect a one-family dwelling in a single family (S-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 14-4. Street frontage is insufficient.	60 ft.	14 ft.
Section 18-1. Front yard is insufficient.	25 ft.	11 ft.

The property, located at the beginning of Dow Road near the intersection of Cutter Road, contains 8,214 square feet of vacant land. Dwelling would conform with the predominant one-family nature of the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-3032, brought by Paul F. Hannon, 0 Dow Road, West Roxbury, for two variances to erect a one-family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval. Dwelling would conform with the predominant one-family nature of the neighborhood.



Z-3032
O DOW ROAD
(W.R.)

SUB STATION

Board of Appeal Referrals 2/28/74

Hearing Date: 3/19/74

Petition No. Z-3043
Benjamin D'Agostino
606 East Eighth Street
South Boston

Petitioner seeks a forbidden use and two variances for a change of occupancy from a two-family dwelling to a three-family dwelling in an apartment (H-1-50) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf/du	0
Section 17-1. Open space is insufficient.	400 sf/du	215 sf/du

The property, located on East Eighth Street near the intersection of K Street, contains a three-story frame structure. Proposed conversion would be compatible with surrounding properties. Recommend approval.

VOTED: That in connection with Petition No. Z-3043, brought by Benjamin D'Agostino, 606 East Eighth Street, South Boston, for a forbidden use and two variances for a change of occupancy from a two family dwelling to a three family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval. Proposed conversion would be compatible with surrounding properties.



Z-3043
606 EAST EIGHTH ST.
(S.B.)

Board of Appeal Referrals 2/28/74

Hearing Date: 3/26/74

Petition No. Z-3046
Robert J. Hansen
18-24 Harvard Avenue
Dorchester

Petitioner seeks three forbidden uses for a change of occupancy from garage to parking garage, repair garage, sales and service of x-ray machines and accessories, kennel in a residential (R-.8) district. The proposal violates the code as follows:

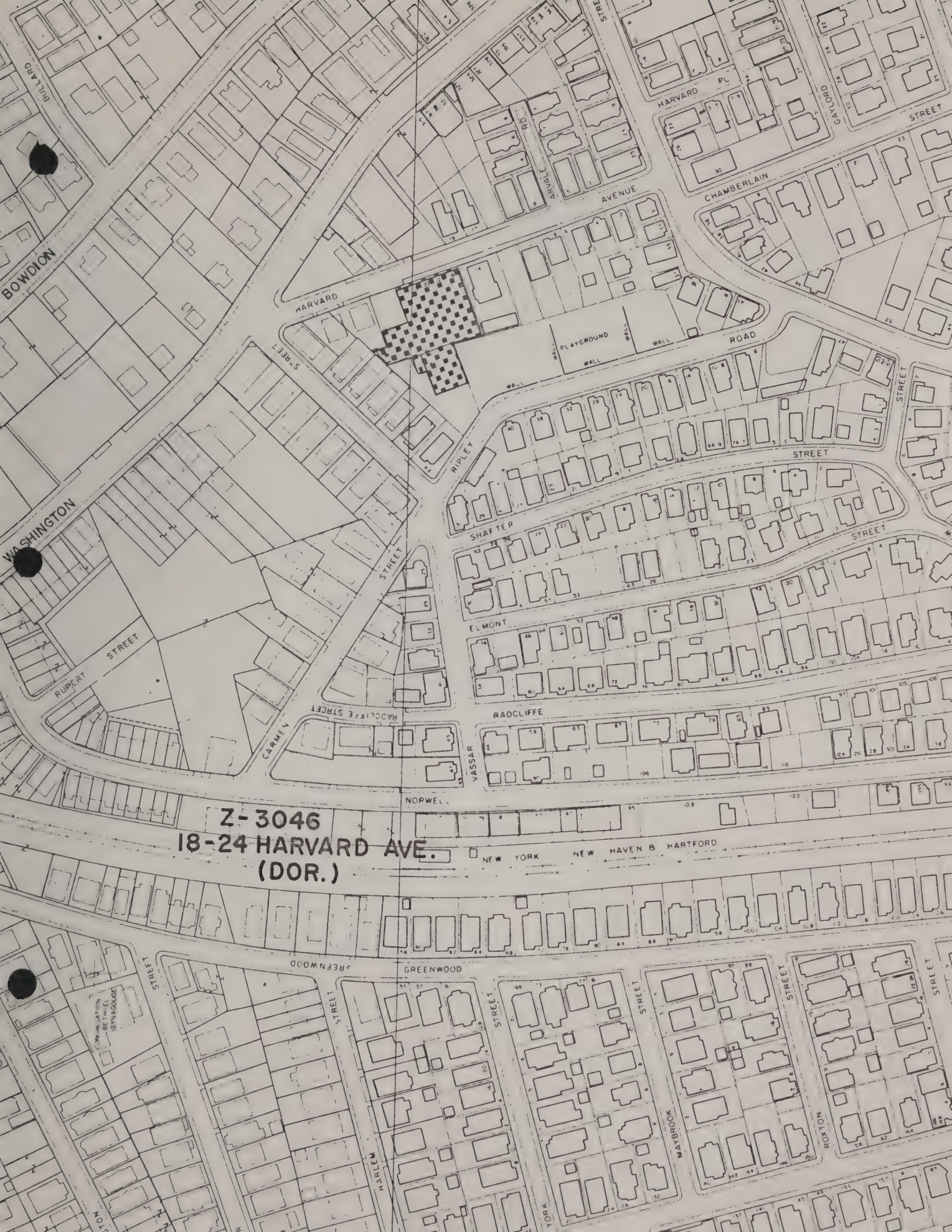
Section 8-7. A retail store serving a major part of the city is forbidden in an R-.8 district.

Section 8-7. A kennel is forbidden in an R-.8 district.

Section 8-7. A repair garage is forbidden in an R-.8 district.

The property, located on Harvard Avenue near the intersection of Washington Street, contains a one-story masonry structure. Proposed non-conforming conversion would generate undesirable commercial traffic and conflict with the predominant residential character of the street and neighborhood. The Ripley playground is adjacent to the site. Franklin Field Little City Hall has expressed opposition. Recommend denial.

VOTED: That in connection with Petition No. Z-3046, brought by Robert J. Hansen, 18-24 Harvard Avenue, Dorchester, for three forbidden uses for a change of occupancy from garage to parking garage, repair garage, sales and service of x-ray machines and accessories, kennel in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Proposed non-conforming conversion would generate undesirable commercial traffic and conflict with the predominant residential character of the street and neighborhood. The Ripley playground is adjacent to the site. Franklin Field Little City Hall has expressed opposition.



Z-3046
18-24 HARVARD AVE.
(DOR.)

NEW YORK NEW HAVEN & HARTFORD

Board of Appeal Referrals 2/28/74

Hearing Date: 3/12/74

Petition No. Z-3047
Deane Monument Company, Inc.
105 Morton Street
Jamaica Plain

Petitioner seeks a forbidden use and a variance to erect a one-story commercial structure in a residential (R-.8) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. Retail sale is forbidden in an R-.8 district.		
Section 18-1. Front yard is insufficient.	25 ft.	21 ft.

The property, located on Morton Street near the intersection of Forest Hills Street, contains 15,496 square feet of land. Proposed structure would be utilized for the sale of monuments and other memorial markers. Site was similarly occupied many years ago. The neighborhood is mixed residential, commercial, institutional. Ample off street parking (11 spaces) would be provided.

Recommend approval.

VOTED: That in connection with Petition No. Z-3047, brought by Deane Monument Company, Inc., 105 Morton Street, Jamaica Plain, for a forbidden use and a variance to erect a one-story commercial structure in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Site was similarly occupied many years ago. The neighborhood is mixed residential, commercial, institutional. Ample off street parking would be provided.

Board of Appeal Referrals 2/28/74

Hearing Date: 3/19/74

Petition No. Z-3051
Slak Shak Associates
Jack Margolis
470 Commonwealth Avenue
Boston

Petitioner seeks a forbidden use and a change in a non-conforming use for a change of occupancy from six apartments, offices and store to six apartments, offices and restaurant in an apartment (H-4) district. The proposal violates the code as follows:

Section 8-7. A restaurant is forbidden in an H-4 district.

Section 9-2. A change in a non-conforming use requires a Board of Appeal hearing.

The property, located on Commonwealth Avenue near the intersection of Charlesgate West, contains a three story structure. A substantial number of restaurants already exist in the Kenmore Square area. Proposed non-conforming change is undesirable and inappropriate. Recommend denial.

VOTED: That in connection with Petition No. Z-3051, brought by Slak Shak Associates, 470 Commonwealth Avenue, Boston, for a forbidden use and a change in a non-conforming use for a change of occupancy from six apartments, offices and store to six apartments, offices and restaurant in an apartment (H-4) district, the Boston Redevelopment Authority recommends denial. A substantial number of restaurants already exist in the Kenmore Square area. Proposed non-conformity is undesirable and inappropriate.

Map showing the area around 470 Commonwealth Ave. (B.P.). The map includes streets such as Kenmore Street, Kenmore Square, Kenmore Station, and the Turnpike. Key landmarks include the Greater Boston Convention Center, the Francis and Mary Mission, and the Kenmore Station. The map also shows the location of the 470 Commonwealth Ave. building, marked with a red 'X' and labeled 'Z-3051'.

Board of Appeal Referrals 2/28/74

Hearing Date: 3/19/74

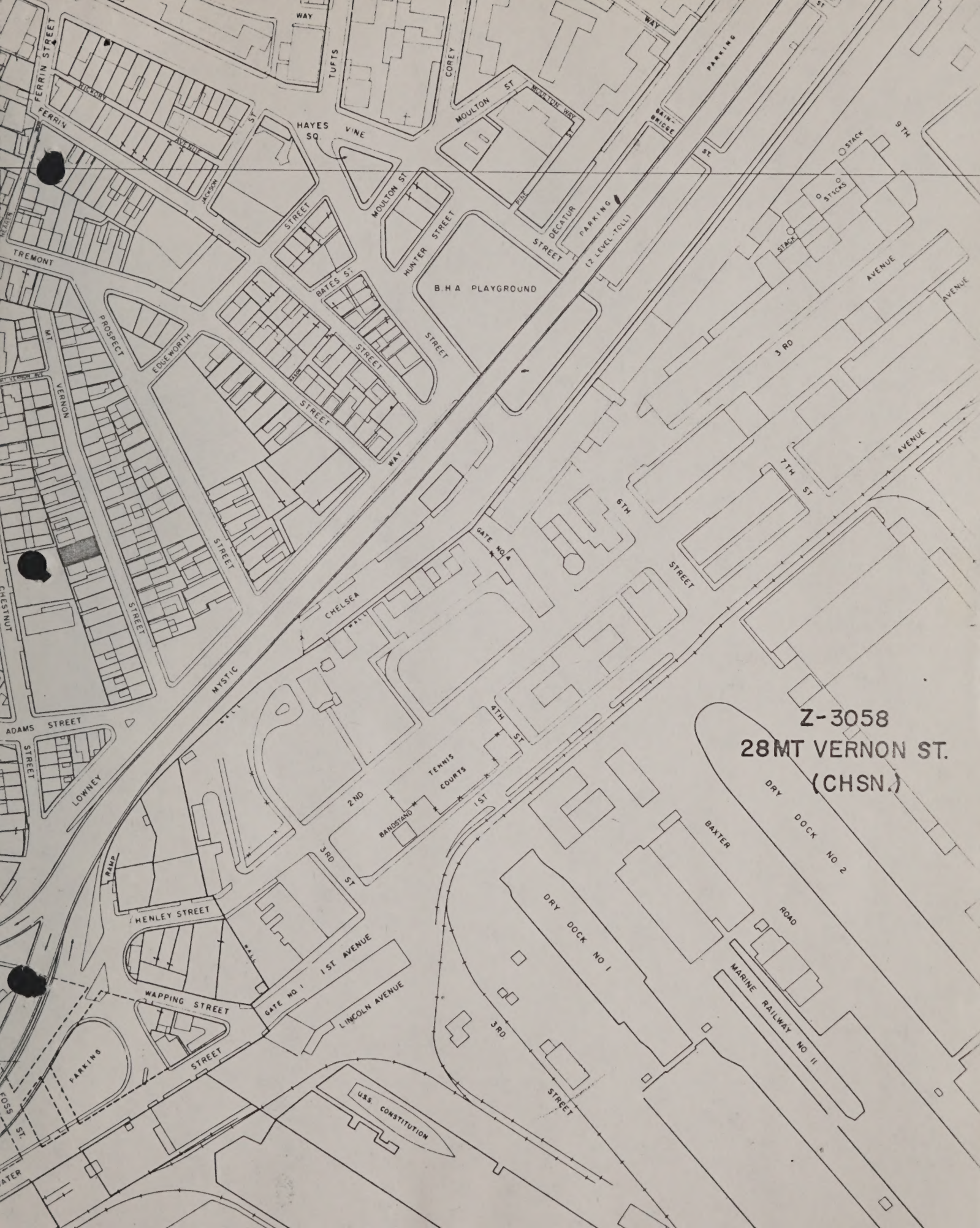
Petition No. Z-3058
Paul F. & Judith B. McDonough
28 Mt. Vernon Street
Charlestown

Petitioner seeks a forbidden use and a variance for a change of occupancy from a one-family dwelling to a two-family dwelling in an apartment (H-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families and not meeting the requirements of lot area is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is not provided.	1000 sf/du	0

The property, located on Mt. Vernon Street near the intersection of Adams Street in the Charlestown Urban Renewal area, contains a 3½ story masonry structure. Conversion would be in conformity with mixed one, two and three family neighborhood. Dwelling would also be extensively rehabilitated. Recommend approval.

VOTED: That in connection with Petition No. Z-3058, brought by Paul F. & Judith B. McDonough, 28 Mt. Vernon Street in the Charlestown Urban Renewal area, for a forbidden use and a variance for a change of occupancy from a one family dwelling to a two family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Conversion would be in conformity with residential nature of the neighborhood.



Z-3058
28MT VERNON ST.
(CHSN.)